

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
May 19, 2008
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER PETER L. CLOUGH
COUNCILMEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Approving the “Regional Permits and You: How State Regulatory Reviews Relate to Local Board Actions” Workshop on May 21, 2008 as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement
- 2 - Contract for Use of Buildings and Grounds, Faith Fellowship Church
- 3 - Approving the 2008 Summer Youth Employment Program Agreement
- 4 - Approving the Special Use Permit Request Submitted By Ryan Churchill, GYMO, P.C., on Behalf of Norstar Development USA, L.P. to Allow 200 Multi-Family Residential Units Within a Neighborhood Business Zoning District, Located on the East Side of Mill Street, North of Haven Street, West of Plaza Drive and South of Seaway Plaza, Parcels No. 3-14-105 & 3-14-101, Known as Creekwood Apartments
- 5 - Approving the Zone Change Request Submitted by Lawrence Drake, to Change the Approved Zoning Classification for Portions of Property Located at 513-519 Water Street, Parcels No. 4-14-114.001, 4-14-114, 4-14-113 & 4-14-112, From Heavy Industry to Neighborhood Business
- 6 - Amending City Municipal Code §293-37, Two-Hour Parking Limit Zones Designated
- 7 - Tabled Ordinance - Amending City Municipal Code §293-61, Schedule XIII, Parking Prohibited at All Times, North Indiana Avenue
- 8- City Manager Update
- 9 - 2008 EPF LWRP Application

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of May 5, 2008 was dispensed with and accepted as written by motion of Council Member Clough, seconded by Council Member Smith and carried with all voting in favor thereof.

COMMUNICATIONS

From Joan Morris requesting a “Slow, Child At Play” sign on Haney Street.

ABOVE PLACED ON FILE

From the City Planning Board

1. Recommending Council approval for the zone change request submitted by Lawrence Drake to change the approved zoning classification of property located at 513-519 Water Street, Parcels No. 4-14-114.001, 4-14-114, 4-14-113 and 4-14-112 from Heavy Industry to Neighborhood Business.
2. Recommending Council approval for the Special Use Permit request submitted on behalf of Norstar Development to allow 200 multi-family units within the Neighborhood Business Zoning District on property located on the east side of Mill Street, north of Haven Street, west of Plaza Drive and south of Seaway Plaza, Parcels Number 3-14-105 and 3-14-101.

ABOVE PLACED ON FILE

Notices of petitions were received from Ontario Apartments, LLC and Ives Hill Retirement Community, Inc. for assessment review.

ABOVE PLACED ON FILE

PROCLAMATION

Mayor Graham proclaimed the week of May 18-24, 2008 as **Poppy Week** in the City of Watertown. Mr. Larry Mallett accepted the proclamation.

PRIVILEGE OF THE FLOOR

Dr. Jason White, 250 Rexford Place, addressed the chair concerning the condition of Clinton Street and the fact that repairs to that street have been in the budget each year but have kept being pushed out to future years. He explained the problems with the street and urged Council to see that the necessary repairs were made to the street much sooner than what is in the 5 year plan.

Mayor Graham asked Mrs. Corriveau about the plans for Clinton Street.

Mrs. Corriveau responded that this topic can be discussed as the Council moves through the Capital Budget.

Joe Fedorko, Watertown Hockey Association, addressed the chair reading from a letter concerning the need for a second sheet of ice and the fact that the Watertown Hockey Association created the Blair Harff Memorial Fund and Committee for the purpose of accepting

and managing donations made to the Association in Blair's honor. The principal purpose of the fund is to continue Dr. Harff's work in the community wide effort to build a second, year round ice arena in the Watertown area. The Association requested that the Council put funding for both Phase 1 and 2 in this year's budget. Mr. Fedorko explained that while they will be aggressively fundraising and do expect to give a significant financial contribution to the project, they need to know what the cost of such a project will be. He also stated that by funding the second phase, the City will demonstrate a level of serious interest necessary to convince potential donors of the feasibility of this project.

Charles Ruggerio, 216 Keyes Avenue, addressed the Council concerning the fact that a pit bull killed one of his family's pets last week. He urged Council to have a City Dog Control Officer once again. He stated that the position is a public protective function. He explained that while he had no argument with how the County conducts its business, it felt that it wasn't proactive. He also commented that the section of the City Code is outdated in that it refers to the City Dog Officer, a position which does not exist any longer. He commented that the fine structure is not sufficient to address the issue.

S.G. Gates, Dorsey Street, addressed the chair asking for Council to decide where the dog park can be located. He stated that the Watertown Hockey Association has just asked the City to spend a lot of money and all he is asking for is a place to put the dog park. Once the location is known, fund raising can start.

Mayor Graham referred to the fact that a parcel at the Fairgrounds was one of the sites on the list.

Mrs. Corriveau showed the map that had been prepared outlining the area at the Fairgrounds.

Council Member Clough stated that the Fairgrounds is not appropriate for a dog park.

Mayor Graham remarked that it would seem reasonable to allocate a future area for the park.

Council Member Smith asked for a copy of Mr. Hayes' list.

Council Member Butler asked about the maintenance of the park.

Mr. Gates said that it would be City owned so the City would maintain it. However, people would donate money. He stated that he planned on having a fund raiser dog walk on June 28th.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the New York State Chapter 662 of the Laws of 2006, which took effect on January 1, 2007 requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the new training requirement, and

WHEREAS the Fort Drum Regional Liaison Organization, in collaboration with the Jefferson, Lewis and St. Lawrence County Planning Departments, the NYS Tug Hill Commission, and the Center for Community Studies at JCC is sponsoring a “Regional Permits and You: How State Regulatory Reviews Relate to Local Board Actions” workshop on May 21, 2008 from 6:30 p.m. to 8:30 p.m. at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the “Regional Permits and You: How State Regulatory Reviews Relate to Local Board Actions” workshop is approved to provide two hours of training toward meeting the New York State Municipal Planning and Zoning Officials training requirement.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown desires to run a Summer Baseball Program within the City of Watertown, and

WHEREAS Faith Fellowship Church is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and Faith Fellowship Church, and

WHEREAS the City of Watertown deems the providing of a Summer Baseball Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City and Faith Fellowship Church, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown hereby agrees to defend and indemnify Faith Fellowship Church from and against any and all claims for personal injury or property damage arising from the negligence of any of its officers or employees occurring in connection with the use of parish facilities in accordance with this Agreement, and

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the Jefferson County Department of Employment and Training has allocated to the City of Watertown six (6) funded training positions under the Summer Youth Employment and Training Program, and

WHEREAS various departments of the City of Watertown can provide training opportunities for young people of the community, and

WHEREAS the City and Jefferson County Department of Employment and Training have cooperated in past years with this same program,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby authorizes the City's participation in the 2008 Summer Youth Employment and Training Program, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Summer Youth Employment and Training Program Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS Ryan Churchill, GYMO, P.C., has made application for a Special Use Permit on behalf of Norstar Development USA, L.P to allow 200 multi-family residential units within a Neighborhood Business Zoning District, located on the east side of Mill Street, north of Haven Street, West of Plaza Drive, and south of Seaway Plaza, Parcels No. 3-14-105 & 3-14-101, and

WHEREAS the Jefferson County Planning Board reviewed the request for the Special Use Permit at its meeting held on April 29, 2008, and recommended that the City Council of the City of Watertown approve the request as submitted based on the need for housing within the community, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on May 6, 2008, and recommended that the City Council of the City of Watertown approve the request as submitted, and

WHEREAS a public hearing was held on the proposed Special Use Permit on June 2, 2008, after due public notice, and

WHEREAS multi-family units are allowed within a Neighborhood Business zoning district upon issuance of a Special Use Permit from the City Council, and

WHEREAS the City Council has reviewed the Full Environmental Assessment Form submitted by the applicant, responding to each question contained in Part 2 and has determined that the project as submitted is an Unlisted Action and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, declares that the Special Use Permit to allow multifamily residential units within the neighborhood Business Zoning District constitutes an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York, that a Special Use Permit is hereby granted to Ryan Churchill of GYMO, P.C., on behalf of Norstar Development USA, L.P. to allow 200 multi-family residential units within a Neighborhood Business Zoning District, located on the east side of Mill Street, north of Haven Street, west of Plaza Drive and south of Seaway Plaza, Parcels No. 3-14-105 and 3-14-101.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, JUNE 2, 2008 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

BE IT ORDAINED where Lawrence Drake, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of portions of property located at 513-519 Water Street, Parcels No. 4-14-114.001, 4-14-114, 4-14-113, & 4-14-112, From Heavy Industry to Neighborhood Business, as shown in Exhibit "A" which is attached and made part of this resolution, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on May 6, 2008, and recommended that the City Council approve the zone change as requested, and

WHEREAS a public hearing was held on the proposed zone change on June 2, 2008, after due public notice, and

WHEREAS the City Council has made a declaration of negative findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for portions of property located at 513-519 Water Street, Parcel No. 4-14-114.001, 4-14-114, 4-14-113, & 4-14-112, From Heavy Industry to Neighborhood Business , as shown in Exhibit "A", and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this Amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, JUNE 2, 2008 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

BE IT ORDAINED that Chapter 293 of the City Code of the City of Watertown is amended to add the following:

§ 293-37. Two-hour parking limit zones designated.

Street

State Street Parking Lots,
200 Block

Two-Hour Parking Limit Zone

Front row of parking lot facing State Street

and,

BE IT FURTHER ORDAINED that this amendment shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

UNANIMOUS CONSENT MOVED BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO TAKE FROM THE TABLE THE ORDINANCE “AMENDING CITY MUNICIPAL CODE 293-61, SCHEDULE XIII, PARKING PROHIBITED AT ALL TIMES, NORTH INDIANA AVENUE.

MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Commenting on the foregoing ordinance, Council Member Butler asked if the City received feed back from the residents in that area.

Mrs. Corriveau explained that the request for this ordinance was from the Police Department and not from the neighbors. It was a safety concern as a result of an accident that occurred there.

Council Member Butler responded that the City should do outreach to the affected residents and they should have been notified of plans for the street.

Council Member Clough remarked that he thought that if outreach hadn't been done, it would have been done since Council requested it.

Mrs. Corriveau responded that Council had asked if it had been done and she had said that she would check with Chief Goss.

Council Member Clough stated that if none was done, it should have been after he asked for it.

Council Member Butler responded that Council has now made it clear that they would like a follow up with the residents.

Mrs. Corriveau explained that staff can send a notice to the residents. However, parking changes were made this evening on State Street and no notice was made to the neighbors.

Council Member Butler responded that direct outreach should be done to the neighbors when these changes are not generated based upon their complaints.

Council Member Clough referred to the State Street change and said that it involved two parking lots facing State Street.

Mrs. Corriveau responded that those people who park in the lot are affected by the change and now have to park further back.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO TABLE THE FOREGOING ORDINANCE.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Watertown Hockey Association

Council Member Butler complimented the Watertown Hockey Association for their presentation and asked to be put on record as supporting the project.

Council Member Smith asked about resolving this during the budget session this evening.

Marble Street Park

Mr. Mix reviewed his memo to Council and explained that the proposed project includes a pedestrian/bicycle path, parking area addition and new railings and fencing along the river, with the estimated cost being \$650,000. The grant will pay for half of the cost. He asked Council if they wish to resubmit the application.

Council Member Clough and Council Member Burns supported resubmitting the application.

Council Member Butler stated that he didn't support it.

Council Member Smith asked if staff had reached out to the property owners on Water Street.

Mr. Mix stated that they hadn't at this time.

Mayor Graham remarked that we are facing budget issues in the coming years and at some point, we have to say no to something.

Council Member Clough commented that the whole idea was the concept of developing the river. He suggested concentrating on one side of the river.

Council Member Butler commented that there were better ways to spend \$325,000 to improve the recreational areas in the City. He said that matching grants seem contrary to looking at making cuts.

Council Member Burns explained that this project is just a continuation of what has already been started.

Council Member Smith suggested that perhaps a portion of the project could be done. He said that if the project was downscaled, it would be much more reasonable.

Mr. Mix explained that the parking lot use will increase quite a bit due to the new ball fields.

Council Member Butler suggested waiting until the demand comes. He stated that it is wasted money to build a big lot and have it sit empty.

Council Member Smith suggested concentrating on the existing area with a small trail from the pavilion to the water.

Council Member Clough asked staff to come up with a revised plan so that Council can make a decision.

Mr. Mix discussed the possibility of putting some of these items into the transportation enhancement program. That is an 80-20 cost split with the state.

Council Members agreed that they would like to see a revised plan.

Freedom of Information Request

Council Member Smith referred to the request for the R.W. Beck Study.

Mrs. Corriveau explained that this request was authorized and the gentleman that requested it has already looked at the information. She explained that part of the complication was that it didn't exist within the time frames requested in his letter.

Council Member Smith asked for a copy of the study.

Mrs. Corriveau explained that the "study" is part of the FERC relicensing application.

Letter from Mr. Fields Regarding Sidewalk

Mr. Hauk answered questions posed by Council regarding this letter (not on file in the Office of the City Clerk). Mr. Hauk explained that he had met with Mr. & Mrs. Fields on Friday afternoon and the issue was resolved.

Haney Street Sign Request

Mayor Graham asked Mrs. Corriveau to send a response letter concerning this request.

City Code Section Outdated

Mayor Graham discussed the comments made by Mr. Ruggerio earlier this evening. He stated that it is frustrating when people call the police and they are referred to the County.

Mrs. Corriveau explained that the contract with the County expires in the fall and Council can make changes if they wish to. She explained that the City is required to have a City Dog Control Officer and that is filled by contract with the County Dog Control Officer. She advised that the contract costs a little over \$85,000 a year.

Council Member Butler asked for information concerning the number of calls made in the City by the County Dog Control Officer.

Council Member Burns asked for expenses that the City incurred when we had our own officer.

Attorney Slye reminded Council that due to the Zoo trying to get accreditation, it was necessary to remove the dog pound from that area.

114 William Street

Mayor Graham said that he understood discussion had occurred with the three parties.

Mrs. Corriveau explained that Mr. Mix and Mr. Mills had spoken with the three property owners. One owner said that he has an easement across the land. They are waiting for him to get back to the City with documentation.

Mayor Graham responded that either it gets resolved or the Council should decide to sell the parcel at the price that was offered.

Union Street Parking Lot

Council Member Butler remarked that there is still no signage on State Street indicating public parking in the Union Street lot.

Mrs. Corriveau responded that signage will be going up.

City Manager's Report

Mrs. Corriveau advised that she has supplied the City Manager's Update Report to the Council.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:08 P.M. UNTIL MONDAY, JUNE 2, 2008 AT 6:45 P.M. BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk